UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/594,332	06/15/2000	Ryan W. Battle	777.396US1	8527

22801 7590 03/12/2004

LEE & HAYES PLLC
421 W RIVERSIDE AVENUE SUITE 500
SPOKANE, WA 99201

EXAMINER	
COLLINS, SCOTT M	

ART UNIT	PAPER NUMBER
2143	8

DATE MAILED: 03/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/594,332	BATTLE ET AL.	
	Examiner	Art Unit	
	Scott M. Collins	2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *02 December 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-40* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-40* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *15 June 2000* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-40 examined.

2. It is hereby acknowledged that the following papers have been received and placed of record in the file: Amendment B and Substitute Specification on 12/02/2003.

3. All objections to the specification and the claims as well as rejections under 35 USC 112 have bee withdrawn in light of applicant's amendments.

Response to Arguments

4. Applicant's arguments, see pages 14-17 of Amendment B, filed 12/02/2003, with respect to the 35 USC 103 rejections have been fully considered and are persuasive. Therefore, the rejections have been withdrawn. However, upon further consideration, a new ground(s) of rejection is made herein below.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the

reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

6. Claims 1 and 7 rejected under 35 U.S.C. 102(e) as being anticipated by Gupta et al., U.S. Patent Number 6,226,752 (herein referred to as Gupta).

7. Referring to claims 1 and 7, Gupta has taught a method of logging a computer system user out of a server comprising the steps of:

a. receiving a selection of a logout link (Gupta column 13, lines 41-64);

b. generating a logout page for display on a browser being used by the user (Gupta column 13, lines 41-64);

c. causing a request for data from the server to be issued by the browser, and expiring cookies from the browser in accordance with the request (Gupta column 13, lines 41-64);

d. wherein the cookies include data provided to the browser by the server (Gupta column 13, lines 41-64).

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

9. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gupta as applied above in view what would have been obvious to one of ordinary skill in the art at the time the invention was made.

10. Referring to claim 2, Gupta has not expressly disclosed the method wherein the request further causes the server to send an image to the browser which is indicative of successful logout. However, at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to acknowledge a successful logout. This could have been accomplished by a simple text message, an image, or any other method of alerting the user. One of ordinary skill in the art would have been motivated to do this because logging out of a secure server is a sensitive process and the user should be given some form of acknowledgment that his/her data has been secured. In addition, Gupta is already utilizing browsers to perform the logout and the use of images in browser is a prevalent activity.

11. Claims 3-6, 8-40 rejected under 35 U.S.C. 103(a) as being unpatentable over Gupta as applied above in view of Wu et al., U.S. Patent Number 5,774,551 (herein referred to as Wu).

12. Referring to claims 3 and 26, Gupta has not expressly disclosed the method wherein multiple servers are logged out of by selection of a single logout link. Wu has taught the method wherein multiple servers are logged out of by selection of a single logout link (Wu column 4, lines 3-24). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to not only log the user out of a particular server by utilizing a browser as Gupta has, but to also log the user out of multiple servers at once as Wu has. Wu has not disclosed utilizing a browser to log the user out of multiple servers, but Gupta has provided this service. One of ordinary skill in the art would have been motivated to do this in order to expedite the log off process for both the methods used by Gupta (expedited by logging out of multiple servers at once) and Wu (expedited by a swift browser interface).

13. Referring to claim 4, Wu has taught the method wherein the logout link may be located on any of the multiple servers and an authentication server (Wu column 4, lines 3-24 where the location of the link does not affect Wu's system and can thus be anywhere.).

14. Referring to claim 5, Wu has taught the method wherein a visited sites cookie maintains a list of all sites logged into by the user (Wu column 2, 19-31 where Wu's "credentials" correspond to applicant's "cookies" where "cookies" are understood to be personal data stored on a user's computer that authenticates communication to a source.). In addition, Gupta has taught utilizing cookies in logging off of multiple computers and the cookie is responsible for maintaining the user's data and history including what servers they want to log off (Gupta column 13, lines 41-64)

15. Referring to claim 6, Wu has taught the method wherein selected cookies are expired to log out of the server (Wu column 2, lines 31-38; column 3, lines 1-17; and column 4, lines 3-24 where Wu's "credentials" correspond to applicant's "cookies" where "cookies" are understood to be personal data stored on a user's computer that authenticates communication to a source.).

16. Claims 8-9 do not recite limitations above the claimed invention set forth in claims 2-3 and are therefore rejected for the same reasons set forth in the rejection of claims 2-3 above.

17. Claims 10, 15-18, and 24 do not recite limitations above the claimed invention set forth in the combination of claims 1-3 and are therefore rejected for the same reasons set forth in the rejection of the combination of claims 1-3 above.

18. Claims 11 does not recite limitations above the claimed invention set forth in the combination of claims 1-3 and 5 and are therefore rejected for the same reasons set forth in the rejection of the combination of claims 1-3 and 5 above.

19. Claims 12, 13, 22, 23, 25, 28, and 33-40 do not recite limitations above the claimed invention set forth in claim 5 and is therefore rejected for the same reasons set forth in the rejection of claim 5 above.

20. Referring to claims 14 and 27, neither Gupta nor Wu has expressly disclosed the system wherein the request for a logout page can be initiated via different server pages. At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to allow the request for a logout page to be initiated via more than one server page. One of ordinary skill in the art would have been motivated to do this because to only allow the logout page to be initiated via one server page would severely limit the system as a whole.

21. Referring to claim 19, neither Gupta nor Wu has expressly disclosed the method wherein the image comprises a checkmark image. The Examiner takes Official Notice (see MPEP § 2144.03) that fact that "a checkmark image" is a symbol for affirmative, a positive result, or a task complete was well known in the art at the time the invention was made. Therefore, it would have been obvious to utilize a checkmark image for the image that is to signify affirmative, a positive result, or a task complete.

22. The Applicant is entitled to traverse any/all official notice taken in this action according to MPEP § 2144.03. However, MPEP § 2144.03 further states "See also In re Boon, 439 F.2d 724, 169 USPQ 231 (CCPA 1971) (a challenge to the taking of judicial notice must contain adequate information or argument to create on its face a reasonable doubt regarding the circumstances justifying the judicial notice)." Specifically, In re Boon, 169 USPQ 231, 234 states "as we held in Ahlert, an applicant must be given the opportunity to challenge either the correctness of the fact asserted or the notoriety or repute of the reference cited in support of the

assertion. We did not mean to imply by this statement that a bald challenge, with nothing more, would be all that was needed". Further note that 37 CFR § 1.671(c)(3) states "Judicial notice means official notice". Thus, a traversal by the Applicant that is merely "a bald challenge, with nothing more" will be given very little weight.

23. Referring to claim 20, neither Gupta nor Wu has expressly disclosed the method wherein the image tag ensures that the image will not be retrieved from cache. At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to ensure that any piece of data downloaded was the most current. One of ordinary skill in the art would have been motivated to do this in order to avoid stale data.

24. Referring to claim 21, neither Gupta nor Wu has expressly disclosed the method wherein the image tag includes a query. The Examiner takes Official Notice (see MPEP § 2144.03) that "including a query in an image tag" in a computer networking environment was well known in the art at the time the invention was made. Please see paragraph 21 above for responding to Official Notice.

25. Claims 29-32 do not recite limitations above the claimed invention set forth in the combination of claims 18, 20, and 21 and are therefore rejected for the same reasons set forth in the rejection of the combination of claims 18, 20, and 21 above.

Conclusion

26. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Alegre et al., U.S. Patent Number 6,199,113, see specifically column 7, lines 1-18.

27. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott M. Collins whose telephone number is 703.305.7865. The examiner can normally be reached on Mon.-Fri. 8:00 am - 5:30 pm with alt. Fridays off.

28. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A Wiley can be reached on 703.308.5221. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

29. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

smc
February 19, 2004

DAVID WILEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100